

behalf of my constituents. I offer many congratulations on their being honored by the Yeshivah of Flatbush.

SALUTE TO A. LEON
HIGGINBOTHAM

SPEECH OF

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 1999

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, as I witness attacks on affirmative action in education and a legal system that overlooks police brutality among African-Americans, I realize that our country is experiencing a huge gap in fairness and equality under the law with the passing of Judge A. Leon Higginbotham, Jr.

Mr. Speaker, Judge Higginbotham spent his life vigorously protecting and championing the causes of equality and opportunity for African-Americans.

The French philosopher Montesquieu once said that "In the state of nature, indeed, all men are born equal, but they cannot continue in this equality. Society makes them lose it, and they recover it only by the protection of the laws."

In confronting racial injustice, violence and inequality through the legal system, Judge Higginbotham recovered and secured equality for countless African-Americans. His life long commitment to eliminating discrimination forced our society to recognize the equality inherent in all men and women, despite their race or ethnicity.

In his capacity as special deputy attorney general of Pennsylvania, judge of the U.S. District Court for the eastern district of Pennsylvania and judge of the U.S. Third-Circuit Court of Appeals, many men and women regained their rights taken away from them by society.

His zeal in tearing down the walls of injustice and erecting the walls of opportunity began after he earned his law degree at Yale Law School by working in Philadelphia as an assistant district attorney. Six years later after becoming a special deputy attorney general for Pennsylvania, President John F. Kennedy named him to the Federal Trade Commission (FTC). This appointment was notable in the fact that it made him the FTC's first black commissioner and its youngest as well.

In 1977, after serving as a district court judge in Philadelphia from 1964 to 1977, President Jimmy Carter appointed him judge of the U.S. Third-Circuit Court of Appeals where he served with distinction as judge, chief judge and senior judge until his retirement in March 1993.

Throughout the years, U.S. Chief Justice Warren, Burger and Rehnquist appointed Judge Higginbotham to various judicial conferences. In addition, the Congressional Black Caucus benefitted from his excellent legal mind in a series of voting rights cases brought before the U.S. Supreme Court.

Current South African President Nelson Mandela also called upon his knowledge and wisdom during the country's historic 1994 national elections where Judge Higginbotham served as an international mediator.

Mr. Speaker, the aforementioned feats and accomplishments mark this important fact:

when he was called upon by presidents, world leaders, Members of Congress and citizens to defend civil rights, Judge Higginbotham answered with vigor and passion.

Millions of Americans saw him protect the tenets of the Constitution during the recent House Judiciary Committee impeachment hearings. This was just two weeks before his passing on December 14, 1998.

Like so many times during his stellar legal career, he was a steadfast advocate and defender of the true meanings and intents of the law and our Constitution. During the hearings, it was not partisan winds that steered his testimony that the President should not be impeached. Rather, it was scholarly and intellectual interpretation of the Constitution and the separation of powers between the Judicial, Executive and Legislative branches of our government.

For those viewers of the hearings, that was their first contact with the great judge. However, I have constantly been a witness to—and a beneficiary of—Judge Higginbotham's passionate and eloquent defense of justice.

On behalf of the constituents of the 30th congressional district of Texas, I would like to tell his family what a great equalizer in this society he was to us. He served an extended family of poor, powerless and downtrodden individuals in this society. His advocacy for their causes meant a great deal to them and strengthened our principles as a country.

In particular he leaves his wife, Evelyn Brooks Higginbotham; two daughters, Karen and Nia; and two sons, Stephen and Kenneth. I would like to thank them for allowing the country to share and benefit from his mind, heart and soul.

STATEMENT ON THE SUPPRESSION OF RIGHTS IN SERBIA

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. SMITH of New Jersey. Mr. Speaker, as we have debated today the issue of American participation in any NATO peacekeeping effort in Kosovo, I urge my colleagues, regardless of their views on that matter, to focus on what is happening in Serbia itself. Slobodan Milosevic, President of an unrecognized Yugoslav state of which Serbia and Montenegro are part, is using Kosovo to perpetuate his regime, to rally Serbia's public opinion around him, and to label as "traitors" not only his opponents but anyone who thinks independently.

Last year, Milosevic imposed draconian laws which curtailed the independence of journalists to report news freely, and threatened the academic community's ability to maintain its intellectual integrity. In response, the Helsinki Commission which I chair, held a hearing appropriately entitled: "The Milosevic Regime Versus Serbian Democracy and Balkan Stability."

As an example of what is happening right now in Serbia, I would note for the RECORD what has happened to three of the witnesses at the hearing.

On December 28, 1998—less than three weeks after the hearing—Boris Karajic, a leader in the university student movement "Otpor" (Resistance), was attacked and beat-

en on the street in front of his Belgrade home by masked thugs with bats. As they fled, their comments indicated the political nature of the attack.

During the first week of February, Milan Panic, the Serb-American pharmaceutical executive who is a leader of the Alliance for Change, the main coalition of political opposition to Milosevic's ruling Socialist Party, has had his Serbian subsidiary company taken over by the authorities. The purpose was likely two-fold: to intimidate Panic and to gain hard-currency assets.

On March 8, Slavko Curuvija, the chief editor of newspaper Dnevni Telegraph and the new magazine Evropljanin, was sentenced along with two of his journalists to five months in prison by a Belgrade court for "spreading false reports with an intention to endanger public order." They remain free on appeal.

Mr. Speaker, these assaults on freedom demonstrate that Milosevic feels vulnerable to democratic forces which do, in fact, exist in Serbia, forces which may indeed be growing. Indeed, the Serbian Government undertook to make a paper prepared by the hearing witness from the United States Institute for Peace and openly circulated at that same hearing into an alleged confidential CIA document which showed, they alleged, that the U.S. Government was plotting to overthrow the Belgrade government.

Despite his insecurity at home, Milosevic does feel sufficiently secure in a U.S. policy which seemingly needs his presence for implementation for the Dayton Agreement in Bosnia, and to get an agreement in France on Kosovo. Our dependence on him, he reckons, means we will not seek to undercut his dictatorial power. The clear lack of attention many senior Administration officials have paid to Serbia's democrats has only reinforced this feeling in Belgrade.

Mr. Speaker, this must change. The actions against Karajic, Panic, Curuvija and countless other advocates of a democratic Serbia must be condemned not with words alone. The United States must stop dealing with Milosevic directly. The United States must protest his assault on innocent civilians when they occur. The United States must encourage democratic change in Serbia, and assist those who promote this change from within, the true Serbian patriots.

One way in which the Congress can help in this regard is to move quickly on the legislation I have just introduced, H.R. 1064, the Serbia and Montenegro Democracy Act of 1999. This Act would ensure adequate attention is paid to democratic forces in Serbia and Montenegro by those allocating U.S. democratic assistance. The legislation has bipartisan support.

Mr. Speaker, I am deeply concerned about developments in Serbia generally, and the incidents involving Helsinki Commission hearing witnesses in particular. As Chairman of the Commission, I am committed to making sure that the people in Serbia have the same rights and freedoms which so many other Europeans enjoy and take for granted, the rights and freedoms enshrined in the Helsinki Final Act and defined in subsequent OSCE documents. The suppression of these rights in Serbia is unacceptable, it ultimately will prove untenable, and it must change sooner rather than later, not only for the sake of the people in Serbia but all people in south-central Europe.